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July 7, 2003

Admiral James Loy  
Administrator  
Transportation Security Administration  
400 Seventh Street, SW  
Washington, DC 20590

**Re: Docket TSA-2003-14610, 49 CFR Parts 1570 and 1572, Security Threat Assessment for Individuals Applying for a Hazardous Materials Endorsement for a Commercial Drivers License**

Dear Admiral Loy:

In carrying out security threat assessments under the above-referenced regulations, the Transportation Security Administration should have the capability to rapidly and opportunistically connect to, and interoperate with, any commercial databases or service providers that may be relevant in assessing security threats or confirming an individual's identity. To realize this goal, TSA should adopt, and require its contractors to adhere to, industry-developed data-exchange standards for background checks.

The HR-XML Consortium, a non-profit, vendor-neutral organization with more than 100 member organizations worldwide, has developed a set of data exchange standards for background check requests and reports. These data interchange standards make it easier to integrate background check data between different computer systems. Without data interchange standards, custom interfaces must be developed or proprietary data exchange formats must be used.

The HR-XML Consortium's Background Checking Specification supports a wide variety of screenings, including searches of criminal records, education, employment, military service, professional licenses, professional sanctions, and credit. The specification is extensible so that customized search types can be supported. The built-in extensibility accommodates specialized industry needs as well as the needs of government agencies. Many major commercial background checking service providers and databases have begun supporting the HR-XML Consortium's Background Checking standard.

The ability of government computer systems to quickly and reliably interoperate with relevant commercial databases is clearly in the interest of national security and in the interest of government efficiency. In the months following September 11, 2001, federal agencies have undertaken responsibilities for background screening in a variety of new contexts. In many cases, these screenings involve the services or databases of commercial consumer report or background checking companies. In the few months in which some of these programs have been in place,

there have been significant changes in the composition of private-sector resources involved in the government-administered screenings. This is appropriate. Federal agencies should be able to opportunistically connect to the service and database providers that offer the best levels of service and the highest quality data. Moreover, Federal agencies should be free to choose service providers without regard to data integration issues or concern for program disruptions due to delays in getting new providers on-line. Data exchange standards support government flexibility in the choice of service providers as well as the goal of carrying out screening programs without delays or disruptions.

Wide adoption of the HR-XML Consortium's Background Checking standard offers many potential benefits for federal government agencies. However, consider also that the screening of an estimated 3.5 million hazardous materials endorsement holders is an event that is very significant in the marketplace for background checking services. If TSA disregards HR-XML's industry-developed standards and relies upon proprietary data exchange formats, it could significantly harm industry standardization efforts. Consider that there are many contexts in both government and private sectors in which timely and effective background checks are recognized as important to maintaining homeland security. Consider for example, the background check recommendations within the U.S. Department of Agriculture Food Safety and Inspection Service's Security Guidelines that call on private-sector food processors to conduct background checks on new employees. By supporting the HR-XML Consortium's data interchange standards for background checks, the TSA can ease its own integration burdens as well as influence the broader adoption of standards that are beneficial for consumers of background checking services in both the private and public sectors.

For additional information on the HR-XML Consortium's Background Check specification, see: <http://www.hr-xml.org/backgroundcheck/> Information about the HR-XML Consortium can be found at <http://www.hr-xml.org/> If I can be of any assistance or answer any questions, please do not hesitate to contact me.

Best Regards,

A handwritten signature in blue ink, appearing to read 'C Allen', with a stylized flourish at the end.

Chuck Allen  
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cc: TSA Docket